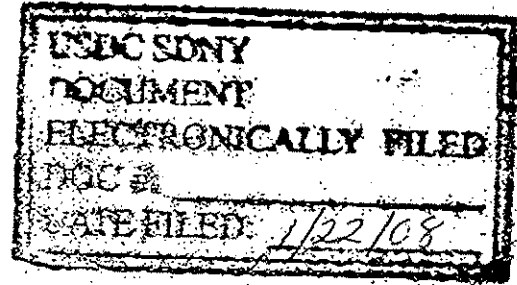


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
NATIONAL UNION FIRE INSURANCE COMPANY :
OF PITTSBURG, PA, as subrogee and assignee of :
The Rockefeller Foundation, :

Plaintiff, :

-against- :

CHERYL McEWAN, ANTHONY McEWAN, :
FRANK MELLI, PAUL SHUSTERMAN, :
LISA BAKER & LACHO TERRAZAS, :

Defendants. :

07 Civ. 7515 (BSJ) (AJP)

ORDER OF PARTIAL DISMISSAL
ON CONSENT

-----X
ANDREW J. PECK, United States Magistrate Judge:

Based on the settlement agreements reached by plaintiff and defendants Melli, Shusterman and Terrazas, and transcribed by the court reporter on January 22, 2008, and on the stipulation of these parties pursuant to 28 U.S.C. § 636(c), IT IS HEREBY ORDERED THAT this action is dismissed with prejudice and without costs as to defendants Melli, Shusterman

and Terrazas. The case continues against the remaining defendants. Plaintiff is to move for a default judgment against the remaining defendants by February 13, 2008.

SO ORDERED.

DATED: New York, New York
January 22, 2008



Andrew J. Peck
United States Magistrate Judge

Copies by fax & ECF to: Brian W. Keatts, Esq.
Todd D. Greenberg, Esq.
Marc A. Lebowitz, Esq.
Keith M. Getz, Esq.
Lisa Baker (Regular & Certified Mail)
Lacho Terrazas (Regular & Certified Mail)
Judge Barbara S. Jones